

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 1:18-CV-00748-WO-JLW**

LORENZO QUINTANA, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

BB&T CORPORATION,

Defendant,

**CONSENT MOTION TO
SUBSTITUTE PARTIES**

Pursuant to Fed. R. Civ. P. 15, and L.R. 7.3(j), Defendant BB&T Corporation, and Plaintiff Lorenzo Quintana (“Plaintiff”), hereby move to substitute Branch Banking and Trust Company (“BB&T Bank”) in the place of Defendant BB&T Corporation, and to dismiss Plaintiff’s claims against BB&T Corporation without prejudice. In support of this motion, the parties state:

1. Plaintiff has asserted claims against BB&T Corporation for violations of the Telephone Consumer Protection Act (“TCPA”) based upon calls Plaintiff alleges he received from BB&T Corporation for an “Allen Smith . . . regarding an outstanding debt.” (Doc. 1 ¶¶ 3-4.)

2. Plaintiff has been informed by counsel for Defendant that BB&T Corporation is not the correct entity to be named in this suit, and that the calls Plaintiff alleges he received from Defendant BB&T Corporation would have actually been initiated by BB&T Bank.

3. Plaintiff agrees to voluntarily dismiss BB&T Corporation as a defendant in this action without prejudice.

4. BB&T Bank agrees to be substituted as the named defendant in this action.

5. The parties agree that the motions filed by BB&T Corporation on October 31, 2018 in response to Plaintiff's complaint (Docs. 12-14) shall be deemed to have been filed by BB&T Bank, and BB&T Bank shall be deemed to be the moving party with respect to each motion. All present deadlines will remain in effect.

WHEREFORE, the parties respectfully request that the Court enter an order substituting BB&T Bank for BB&T Corporation, and dismissing Plaintiff's claims against BB&T Corporation without prejudice.

Respectfully submitted this 7th day of November, 2018.

/s/ Eric Troutman

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2018, the foregoing **DEFENDANT BB&T CORPORATION'S CONSENT MOTION TO SUBSTITUTE PARTIES** was served on opposing counsel by filing the same on the CM/ECF system, which will send electronic notification to the following:

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